



SANDRA SHEWRY
Director

State of California—Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

MESSAGE FROM ADAP

NOTICE OF PRIVACY PRACTICES

Effective April 14, 2003

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION
ABOUT YOU MAY BE USED AND DISCLOSED AND
HOW YOU CAN GET ACCESS TO THIS INFORMATION.
PLEASE REVIEW IT CAREFULLY.**

ADAP must keep your health information private. ADAP gets information about you when you apply for benefits, and when your pharmacist sends ADAP a bill for your care. ADAP also gets medical information on your treatment when ADAP approves your care. ADAP must give you this notice about the law and how ADAP can use and share your health information and what your rights are.

HOW ADAP MAY USE AND SHARE INFORMATION ABOUT YOU

ADAP may only use and share information about you in the operation of ADAP. This information includes things like your name, address, personal facts, medical history, and medical care given to you.

ADAP uses this information and shares it with others for the following reasons connected with the operation of ADAP:

- **For payment:** ADAP and others that work with ADAP review, approve, and pay for pharmacy bills sent to ADAP for your medical care. When ADAP does this, ADAP shares information with the pharmacists and doctors and others who bill ADAP for your care.

- **For health care operations:** ADAP may use your health records to check the quality of the prescription drug treatment you receive, and to check your medical need to get restricted ADAP drugs. ADAP may also use this information in audits or fraud investigations, or for planning and managing the ADAP program.

SOME OTHER WAYS ADAP MAY SHARE YOUR INFORMATION

The law also allows ADAP to use or give out information ADAP has about you for the following reasons:

- To call or write to you about your benefits with ADAP.
- When required by law, such as in response to a court order.
- To agencies that oversee the health care system for audits or investigations.
- In appeals of decisions about health care claims paid or denied by ADAP.
- To the federal government when it is checking on how ADAP is meeting privacy laws.
- To other government agencies that give public benefits such as Medi-Cal.
- To gather information which can no longer be traced back to you.

ADAP may give out health information about you to organizations that help run ADAPs program, like by paying claims. If ADAP does, ADAP will make sure that it protects the privacy of your information ADAP shares with them.

Some state laws limit sharing the information listed above. For example, there are special laws, which protect information about HIV/AIDS status, mental health treatment, developmental disabilities, and drug and alcohol abuse care. ADAP will obey these laws.

WHEN WRITTEN PERMISSION IS NEEDED

ADAP may use or share your information in limited ways. If ADAP wants to use your health information in a way not listed above, ADAP must get your permission in writing. If you give permission, you may take it back in writing at any time.

WHAT ARE YOUR PRIVACY RIGHTS UNDER THE LAW?

You have the right to:

- Ask ADAP not to use or share your personal health care information in the ways listed above. However, ADAP may not be able to honor your request.
- Ask ADAP to contact you in writing only or at a different address, post office box, or by telephone. ADAP will accept reasonable requests if needed for your safety.

- To see and get a copy of your ADAP information. You may have someone else see and get a copy of your ADAP information. ADAP has information about your eligibility, your health care bills, and some medical records that ADAP uses to allow or manage your health care services. You will need to pay a fee for ADAP to copy and mail the records. ADAP may keep you from seeing all or parts of your records when the law allows. If ADAP does, ADAP will give you information on how to appeal our decision.
- To change the records if you believe some information ADAP has about you is wrong. ADAP may deny your request if the information was not made or kept by ADAP, or the information is already correct and complete. If your request is denied, you may write a letter disagreeing with ADAP's decision and your letter will be kept with your records.

******IMPORTANT******

ADAP DOES NOT HAVE COMPLETE COPIES OF YOUR MEDICAL RECORDS. IF YOU WANT TO LOOK AT, GET A COPY OF, OR CHANGE YOUR MEDICAL RECORDS, PLEASE CONTACT YOUR DOCTOR, CLINIC, OR HEALTH CARE PLAN.

- You have the right to ask for a list of the times when ADAP has shared your health information after April 14, 2003. The list will tell you what information ADAP shared, with whom, when, and for what reasons. The list will not have when ADAP gave information to you, when ADAP had your permission, or when ADAP shared it for treatment, payment, or health care operations.

You have a right to get a written copy of this Notice of Privacy Practices when you request it.

HOW DO YOU CONTACT ADAP TO USE YOUR RIGHTS?

Please call or write ADAP if you want to use any of the privacy rights explained in this notice or if you need copies of the forms needed to exercise your privacy rights.

ADAP HIPAA Coordinator

c/o ADAP

Department of Health Services

MS 7700

P.O. Box 997426

Sacramento, CA 95899-7426

(916) 449-5900

You may also contact your ADAP enrollment worker for the forms necessary to exercise your rights.

If you believe that ADAP has not protected your privacy and you wish to complain or want more information about your rights, write to:

Privacy Officer
c/o Office of HIPAA Compliance
Department of Health Services
MS Code 0010
P.O. Box 997413
Sacramento, CA 95899-7413
(916) 445-4646 or (877) 735-2929 TTY/TDD

COMPLAINTS

You may file a complaint by calling or writing the **Privacy Officer**, Department of Health Services, at the address and telephone number above. You may also call or write the Secretary of the United States (U.S.) Department of Health and Human Services, Office for Civil Rights, 50 United Nations Plaza, Room 322, San Francisco, CA 94102, telephone (800) 368-1019 or you may call the U.S. Office for Civil Rights at 866-OCR-PRIV, 866-627-7748, or 866-788-4989 TTY/TDD.

ADAP cannot take away your health care benefits or do anything to hurt you in any way if you file a complaint or use any of the privacy rights in this notice.

If you have any questions about this notice, and want more information, please contact the Privacy Officer, Department of Health Services, at the address and telephone number above.

CHANGES TO NOTICE OF PRIVACY PRACTICES

ADAP must obey this notice starting from April 14, 2003. ADAP has the right to change ADAP privacy rules. If ADAP does make any changes, ADAP will rewrite this notice and give it to you right away.

To get a copy of this notice in other languages, Braille, large print, audiocassette or computer disk, please call or write the Privacy Officer at the number or address on this page.